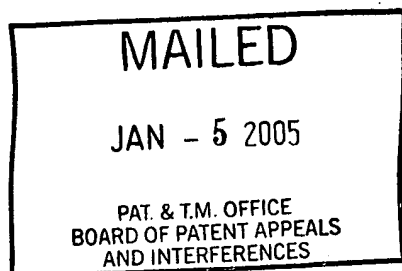




UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge Sally C. Medley
Telephone: 571-272-9797
Facsimile: 571-273-0042



Applicants: TEMPLE
Application No.: 08/536,345
Filed: 09/29/95
For: Multi-channel array droplet deposition apparatus

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,282.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).


SALLY C. MEDLEY
Administrative Patent Judge

Filed by: Sally C. Medley
Administrative Patent Judge
Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Filed:
5 January 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HILARION BRAUN
Junior Party
(Patent 5,598,196),

v.

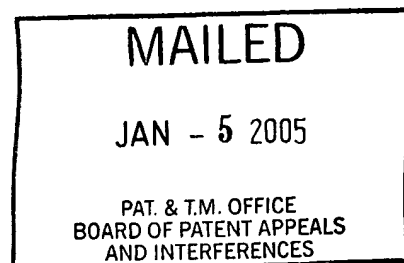
STEPHEN TEMPLE and MARK R. SHEPHERD
Senior Party
(Application 08/536,345).

Patent Interference No. 105,282

DECLARATION-Bd.R. 203(d)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.



Part B. Judge managing the interference

Administrative Patent Judge Sally C. Medley has been designated to manage the interference. 37 CFR § 41.104(a) [Bd. R. 104(a)].

Part C. Standing order

A Trial Section STANDING ORDER [SO] accompanies this DECLARATION. The STANDING ORDER applies to this interference.

The Board is conducting a DVD pilot project. A copy of the procedure is attached to this order.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **1:30 p.m. on 2 March 2005** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile (SO ¶ 4.5) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶ 26) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER¹. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

¹ Default times for time periods 1-10 are attached.

The Board is conducting an electronic filing pilot project. A copy of the procedure is attached to this order. Counsel should be prepared to discuss participation in the pilot project.

Part E. Identification and order of the parties

Junior Party

Named inventor: Hilarion Braun, Beaver Creek, Ohio

Patent: 5,598,196, granted 28 January 1997, based on application 07/871,775, filed 21 April 1992

Title: Piezoelectric ink jet print head and method of making

Assignee: Eastman Kodak Company

Accorded Benefit: None

Senior Party

Named Inventors: Stephen Temple, Cambridge, United Kingdom
Mark R. Shepherd, Royston, United Kingdom

Application: 08/536,345, filed 29 September 1995

Title: Multi-channel array droplet deposition apparatus

Assignee: XAAR Technology Limited

Accorded Benefit: 08/167,894, filed 15 February 1994, now patent 5,463,414, granted 31 October 1995.

PCT/GB92/01085, filed 17 June 1992

UK 9113023.7, filed 17 June 1991

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1). The senior party is responsible for initiating settlement discussions. SO ¶ 18.

Part F. Count and claims of the parties

Count 1

Claim 1 of Braun patent 5,598,196

or

Claim 67 of Temple application 08/536,345

The claims of the parties are:

Braun: 1-13

Temple: 20-45 and 59-74

The claims of the parties which correspond to Count 1 are:

~~Braun: 1-3, 6, 8-10 and 12~~

Temple: 20, 25, 26, 33-36, 38-41, 43, 45 and 59-74

~~The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:~~

Braun: 4, 5, 7, 11 and 13

Temple: 21-24, 27-32, 37, 42 and 44

Part G. Heading to be used on papers

The heading in SO Form 1 must be used on all papers filed in this interference.

See SO ¶ 7.2.1. The administrative patent judge and parties must be indicated as follows:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Sally C. Medley)

HILARION BRAUN
Junior Party
(Patent 5,598,196),

v.

STEPHEN TEMPLE and MARK R. SHEPHERD
Senior Party
(Application 08/536,345).

Patent Interference No. 105,282

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Part E of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.


Sally C. Medley
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Form PTO-850 and examiner's write-up
Copy U.S. Patent 5,598,196
Copy of claims of application 08/536,345
Copy of default times for time periods 1-10
Copy of e-filing pilot project order
Copy of DVD pilot project order

Revised September 2004

cc (via overnight delivery):

Attorney for Braun:

Thomas H. Cole, Esq.
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, N.Y. 14650-2201

Attorney for Temple:

James P. Zeller, Esq.
Marshall O'Toole Gerstein Murray and Borun
6300 Sears Tower
233 South Wacker Drive
Chicago, IL. 60606-6402